



CALFED
BAY-DELTA
PROGRAM

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March 26, 1999

Honorable David G. Kelley
Member of the Senate
State Capitol, Room 3082
Sacramento, CA 95814

Dear Senator Kelley:

This is in response to your question of February 23, 1999, regarding relationships between California's 4.4 million acre-feet allocation of Colorado River water supplies and development of the CALFED Bay-Delta Program. This question was raised during discussion of the *California Water Plan Update* (Department of Water Resources Bulletin 160-98) in a joint hearing of the Senate Committee on Agriculture and Water Resources and the Assembly Committee on Water, Parks and Wildlife.

Your question focused on whether we have factored into our planning effort the 1963 U.S. Supreme Court ruling in *Arizona v. California* (83 S Ct. 1468), which validated California's 4.4 million acre-foot allocation from the Colorado River. The briefest answer is that we have indirectly factored this decision into our planning through our efforts to improve water supply reliability.

Some historical background may help put that answer into context. *The California State Water Project in 1964* (DWR Bulletin 132-64) reports that initial plans for the State Water Project, developed in the late 1950s and early 1960s, contemplated a series of water supply works (reservoirs and aqueducts) that would produce a yield of 4 million acre-feet of water per year, to be delivered to local water agencies in the San Joaquin Valley and Southern California. This was thought to be a sufficient amount for the SWP to supply the rapidly growing California population and economy. With specific reference to your question, these planning projections were based on an assumption that California would receive an annual allocation of Colorado River water supplies of 5,362,000 acre-feet per year.

In *Arizona v. California*, the U. S. Supreme Court decided that California's annual allocation is 4.4 million acre-feet, provided that 7.5 million acre-feet is available annually to the Lower Basin States below Lee Ferry on the Colorado River. Following that decision, California water agencies re-examined their future water supply plans. As reported in *The*

CALFED Agencies

California

The Resources Agency
Department of Fish and Game
Department of Water Resources
California Environmental Protection Agency
State Water Resources Control Board

Federal

Environmental Protection Agency
Department of the Interior
Fish and Wildlife Service
Bureau of Reclamation
U.S. Army Corps of Engineers

Department of Agriculture
Natural Resources Conservation Service
Department of Commerce
National Marine Fisheries Service

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California State Water Project in 1965 (DWR Bulletin 132-65), Metropolitan Water District requested an increase in the maximum annual entitlement of the District from the State Water Project of 500,000 acre-feet. This request was accommodated through a combination of allocation of water not optioned by other SWP contractors and by increasing the size of the SWP. In September 1964, the Department of Water Resources resized SWP facilities to deliver 4,230,000 million acre-feet.

As you are aware, the State Water Project has never been capable of delivering the contract amount of 4,230,000 acre-feet per year. *Management of the California State Water Project* (DWR Bulletin 132-96) indicates that the highest level of deliveries from the Project under water supply contracts was 2,853,747 acre-feet in 1989.

The reliability of these deliveries has been reduced, and the concern that there would be continued reductions in reliability resulted in both the 1994 Bay-Delta Accord and an effort to improve the overall Bay-Delta system through the CALFED Bay-Delta Program.

The CALFED Bay-Delta Program is working on improvements in the four resource problem areas of water supply reliability, ecosystem health, water quality, and levee system integrity.

To achieve these resource management improvements, the Program is developing eight inter-related program elements. These program elements – long-term levee protection, water quality, ecosystem restoration, water use efficiency, water transfers, watershed, storage, and conveyance – are being designed to work together.

As noted in our *Revised Phase II Report*, CALFED believes that water supply reliability will be improved with actions on five objectives: 1) reduce in water diversion conflicts between environmental uses and consumptive uses, 2) decrease in drought impacts, for both the environment and other users, 3) increase water supply availability by providing means for water users and the environment to acquire additional water at high priority times and places, 4) increase operational flexibility by improving the ability of the system to respond appropriately to unforeseen or unpredictable future events, and 5) increase the utility of the water used for all beneficial uses by improving water quality. CALFED is developing an integrated water management strategy to achieve these objectives using a wide range of water management tools, including water conservation, water recycling, water transfers, water storage, watershed management, water quality control, and monitoring and real-time diversion and facilities management.

We are confident that the CALFED Bay-Delta Program will result in more reliable and higher quality supplies of water for all beneficial uses dependent on the Bay-Delta system.

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I hope this information is helpful. Please call me at 657-2666 if you have further questions on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lester A. Snow', with a long horizontal flourish extending to the right.

Lester A. Snow
Executive Director

cc: Thomas Hannigan, Director
Department of Water Resources